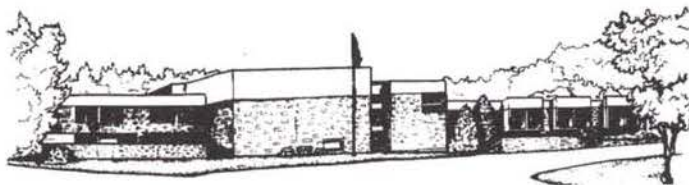


Paul D. Savage II
Superintendent
1273 Rte. 9N
Clintonville, NY 12924
(518) 834-2845
(518) 834-2843 (fax)



Scott A. Brow
School Business Executive
1273 Rte. 9N
Clintonville, NY 12924
(518) 834-2867
(518) 834-9188 (fax)

AuSable Valley Central School District

November 12, 2014

Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear FCC,

I am applying for an appeal to an USAC decision that has denied us e-rate funding for the 2014-2015 school year. On the original 470 application a wrong box was checked indicating that the application was for Basic Maintenance instead of Priority One Services, this was purely a clerical error. The USAC acknowledge that the application referred to telecommunication services which was correct. The USAC has denied our appeal requesting that the application be honored as there are no bidding requirements for the telecom services. I am requesting that the FCC approve our e-rate funding for the 2014-2015 year based on the fact that the clerical error did not affect any bidding requirements and the proper services were all detailed in the application. I look forward for the opportunity to discuss this, thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott A. Brow". The signature is stylized with a large, looped "S" and a cursive "Brow".

Scott A. Brow
SBE

22082215



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2014-2015

October 09, 2014

Scott A. Brow
AuSable Valley Central School District
1273 Route 9N
Clintonville, NY 12924

Re: Applicant Name: AUSABLE VALLEY CENTRAL SCHOOL DISTRICT
Billed Entity Number: 124362
Form 471 Application Number: 955307
Funding Request Number(s): 2595705, 2595710
Your Correspondence Dated: July 15, 2014

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2014 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2595705, 2595710
Decision on Appeal: **Denied**
Explanation:

- During the PIA review process, you were notified that FRN 2595705 and 2595710 would be denied because FCC Form 470 # 823240001198460 that you have listed as posting for the services requested on your FCC Form 471 was not posted for the requested category of service which is a violation of the competitive bidding requirements. On appeal, you have not provided any evidence that USAC's decision was incorrect. Consequently, your appeal is denied.
- FCC rules require that all products and services for which an applicant requests discounts on an FCC Form 471 must be competitively bid on an FCC Form 470. The FCC Form 470 must include a complete description of the services for which discounts are sought, be posted on the website for 28 days, and applicants must

carefully consider all bids received before selecting a vendor, entering into an agreement or signing a contract, and signing and submitting an FCC Form 471. *See* 47 C.F.R. secs. 54.503(b) and (c), 54.511(a) and (c). These competitive bidding requirements help to ensure that applicants receive the lowest pre-discount price from vendors. *See* Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Order on Reconsideration, 12 FCC Rcd 10095, 10098, FCC 97-246 para. 9 (rel. Jul. 10, 1997). The only exceptions to the posting requirement are for: (1) contracts signed on or before July 10, 1997 for the life of the contract; and (2) contracts signed between July 10, 1997 and before January 30, 1998 (the date on which the website became operational) for products and/or services provided under such contract between January 1, 1998 and December 31, 1998. *See* 47 C.F.R. secs. 54.511(c).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

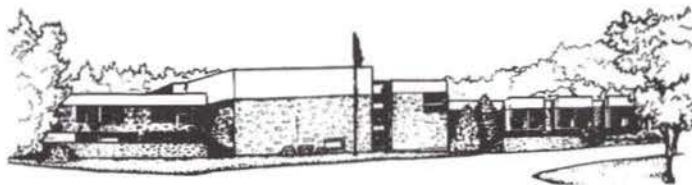
We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Scott A. Brow
AuSable Valley Central School District
1273 Route 9N
Clintonville, NY 12924

Billed Entity Number: 124362
Form 471 Application Number: 955307
Form 486 Application Number:

Paul D. Savage II
Superintendent
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Scott A. Brow
School Business Executive
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AuSable Valley Central School District

July 15, 2014

USAC
Schools and Library Division
Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NY 07054-0685

RE: This letter is an appeal

Dear USAC,

I am writing this letter to appeal your decision to deny e-rate funding for the 2014-2015 year. The basis for denial was the requested services on the form 470 required bidding. Unfortunately the wrong box on the form 470 was checked, the services should have been for Priority One Services and not Basic Maintenance of Internal Connections. The form 470 clearly identified Tele-com services only which do not require bidding. Based on this information of a pure clerical error and no bidding requirements I am requesting that our e-rate services be approved. I have included a copy of the original form 470 so you can see the error. I look forward to discussing this issue with you, thank you.

Sincerely,

A handwritten signature in blue ink that reads "Scott A. Brow". The signature is fluid and cursive.

Scott A. Brow
SBE

Scott A. Brow
1273 Rt 9N
Clintonville, NY 12924
(518)834-2867 (p)
(518) 834-9188 (f)
sbrow@avcsk12.org

FCC Form 471 App # 955307
BEN 124362
FCC RN 0012083762
App. ID # A1
Entity Name AuSable Valley Central School
FRN 2595705
FRN 259710

"Together We Make a Difference"

FY 2014 E-rate Application Information Request

06/30/2014

Contact Name: Scott Brow
Applicant Name: AUSALE VALLEY CENTRAL SCHOOL DISTRICT
FCC Form 471 Application Number(s): 955307
Response Due Date: 07/15/2014

Dear Applicant:

The Program Integrity Assurance (PIA) team is in the process of reviewing your Funding Year 2014 FCC Form 471 Applications for E-rate discounts. To complete our review, we need additional information, which is listed below.

I. FCC Form 470 Does Not Support the Request

Based on the review of your Funding Year 2014 FCC Form 471 application **955307**, **FRN 2595705** and **2595710** cite FCC Form 470 # **823240001198460** that established the bidding for these services. However, these FRNs are for **Telecom Service**, which was not posted for on the referenced FCC Form 470. This is a violation of the competitive bidding rules because the service category requested on the FCC Form 471 application must be posted for on the FCC Form 470 in order for service providers to formulate accurate bids for the desired service.

The establishing FCC Form 470 is the specific FCC Form 470, which was posted to the USAC website for that particular service for at least 28 days, resulting in an agreement entered into with a service provider for that service.

Question

To assist us in the review of your application, we need the following information:

| # | Question | Your Response |
|---|--|--|
| 1 | 1. Is the FCC Form 470 mentioned above the correct FCC Form 470 that was posted for the service category requested on the FRN? | ____ Yes ____ No |
| a | If Yes , no additional information is needed. | |
| b | If No , please provide the correct 15-digit FCC Form 470 that was posted for the requested service category. (If the correct FCC Form 470 was posted by your State and if the requested service is being purchased from a State Master Contract, please let us know.) | The FCC Form 470 that established the bidding for this FRN is: _____ |

Please submit the necessary information within the 15 calendar day deadline of this request. Failure to respond may result in a reduction or denial of your funding request(s).

Response Reminders

Please email or fax the requested information to my attention. If you have any questions or you do not understand what we are requesting, please feel free to contact me.

It is important that we receive all of the information requested **within 15 calendar days** so we can complete our review of your application(s). **Failure to send all of the information requested may result in a reduction or denial of funding.** If you need additional time to prepare your response, please let me know as soon as possible.

Should you wish to cancel your FCC Form 471 application(s), or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s). Include in any cancellation request the FCC Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Thank you for your cooperation and continued support of the Universal Service Program.

Sincerely,

Ellen B. O'Hara
Program Integrity Assurance
USAC, Schools and Libraries Division
Phone: 973-581-7552
Fax: 973-599-6521
E-mail: ellen.ohara@sl.universalservice.org

HOME | CANCEL | HELP

FCC Form 470

Universal Service Program Description of Services Requested and Certification Form

Approval by OMB
3060-0806**Entity Number: 124362**
Contact Person: Scott Brow**Applicant's Form Identifier:**
Phone Number: (518) 834-2841

What kinds of service are you seeking on this Form 470? Please select all that apply. For help, you may refer to the Eligible Services List for the appropriate funding year that is posted on the USAC website.

- ☐ Priority One Services *← - Should be*
- ☐ Internal Connections
- ☒ Basic Maintenance of Internal Connections *- NO*

You must select at least one service category.

[<< Previous](#)[Next >>](#)FCC Form 470
December 2013*clearly spelled
out vendors*

FCC Form 470

Universal Service Program Description of Services Requested and Certification Form

Approval by OMB
3060-0806Entity Number: 124362
Contact Person: Scott BrowApplicant's Form Identifier:
Phone Number: (518) 834-2841**Block 2: Summary Description of Needs or Services Requested**

What kinds of services are you seeking for Basic Maintenance of Internal Connections? (Refer to the Eligible Services List for the appropriate funding year that is posted on the USAC website). Please answer the questions below if you select this category.

11. Basic Maintenance of Internal Connections

Do you have a Request for Proposal (RFP) that specifies the services you are seeking? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.

a ☒ YES, I have released or intend to release an RFP for one or more of these services. It is available or will become available on the Internet at:

or via (check one) ☐ the Contact Person in Item 6 or ☐ the technical contact listed in Item 12

Your RFP Identifier:

b ☒ NO, I have not released and do not intend to release an RFP for any of these services.

Whether you check YES or NO, you must list below the Basic Maintenance Services you seek. Specify each service or function (e.g., basic maintenance of routers) and quantity and/or capacity (e.g., for 10 routers). See the Eligible Services List for the appropriate funding year that is posted on the USAC website. Attach additional lines if needed.

Service or Function:**Quantity and/or Capacity:**

Local Voice Services

74 Lines

Cell Phone Services

13 Lines

FCC Form 470
December 2013